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Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Letter dated 20 March 2007 from the Deputy Permanent Representative of the United States Mission to the United Nations addressed to the Chairman of the Committee

The United States Mission to the United Nations hereby submits to the Security Council Committee established pursuant to resolution 1572 (2004) a report on practical steps the United States Government has taken to implement the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and by paragraph 6 of resolution 1643 (2005), pursuant to the request in paragraph 5 of resolution 1727 (2006) (see annex).

The United States believes it is essential that Member States fully and effectively implement their obligations under Security Council resolutions 1572 (2004) and 1643 (2005).

(*Signed*) Alejandro D. **Wolff**
Ambassador

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Annex to the letter dated 20 March 2007 from the Deputy Permanent Representative of the United States Mission to the United Nations addressed to the Chairman of the Committee

United States report on efforts towards implementing resolutions 1572 (2004) and 1643 (2005)

The United States believes it is essential that Member States fully and effectively implement their obligations under United Nations Security Council resolutions 1572 (2004) and 1643 (2005). Pursuant to the request in paragraph 5 of resolution 1727 (2006), following is a description of the practical steps the United States has taken to implement the measures imposed by paragraphs 7, 9 and 11 of 1572 and paragraph 6 of 1673:

Resolution 1572 (2004)

***Paragraph 7**: All States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice, or training related to military activities.*

In 2004, the United States suspended all existing authorizations for the export of defence articles and defence services to Côte d'Ivoire and instituted a policy of denial of future applications for such authorization. The United States will consider applications that are consistent with any of the exceptions established in paragraph 8 of resolution 1572 (2004). Relevant U.S. authorities include the Arms Export Control Act (AECA) and the International Traffic in Arms Regulations.

***Paragraph 9**: All States shall take the necessary measures to prevent the entry into or transit through their territories of all persons designated by the Committee established by paragraph 14 below, who constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who incites publicly hatred and violence, and any other person determined by the Committee to be in violation of measures imposed by paragraph 7 above, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals.*

The United States has taken steps, including updating relevant databases, to ensure that persons designated pursuant to this paragraph will not be permitted to enter into or transit through U.S. territories. United Nations Security Council resolutions are considered in our visa adjudication procedures.

***Paragraph 11**: All States shall freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, owned or controlled directly or indirectly by the persons designated pursuant to paragraph 9 above by the Committee established by*

paragraph 14 below, or that are held by entities owned or controlled directly or indirectly by any persons acting in their behalf or at their direction, as designated by the Committee, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities.

Executive Order 13396 requires all United States persons to block or "freeze" the property and assets, subject to U.S. jurisdiction, of individuals or entities designated pursuant to the Order, which was issued by the President to implement resolution 1572 and subsequent resolutions related to Côte d'Ivoire. The Order prohibits U.S. persons, wherever located, or anyone in the United States from engaging in any transactions with any person, entity or organization listed in or designated pursuant to the Order. According to the Order, a person determined to meet any of the following criteria may be designated: (1) to constitute a threat to the peace and reconciliation process in Côte d'Ivoire; (2) to be responsible for serious violations of international law in Côte d'Ivoire; (3) to have directly or indirectly supplied, sold or transferred to Côte d'Ivoire arms or assistance, advice or training related to military activities; (4) to have publicly incited violence and hatred contributing to the conflict; (5) to have provided material, financial or technical assistance to any person designated pursuant to this Order; or (6) to be owned or controlled by or acting or purporting to act for or on behalf of any person designated pursuant to this Order.

In February 2006, the United States designated, under Executive Order 13396, the three individuals (Goude Charles Ble, Djoue N'goran Eugene Kouadio, and Martin Kouakou Fofie) approved by the Committee established pursuant to resolution 1572 (2004) on 7 February 2006 as subject to the measures imposed by paragraph 11.

Resolution 1643 (2005)

Paragraph 6*: Decides that all States shall take the necessary measures to prevent the import of all rough diamonds from Côte d'Ivoire to their territory, welcomes the measures agreed by participants in the Kimberley Process Certification Scheme to this effect, and calls upon all States in the region to join the Kimberley Process in order to increase the effectiveness of monitoring the import of diamonds from Côte d'Ivoire.*

Following adoption of resolution 1643 in December 2005, U.S. Customs officials alerted all U.S. ports of entry to detain diamond shipments from Côte d'Ivoire. U.S. Customs officials are also monitoring automated systems for any indication of suspicious shipments.

Relevant U.S. authorities include the Clean Diamond Trade Act of 2003, which requires the President to take steps to implement the Kimberley Process Certification Scheme for rough diamonds in the United States, Executive Order 13312 on "Implementing the Clean Diamond Trade Act" and the "Rough Diamonds Control Regulations" administered by the U.S. Department of the Treasury.

The United States is also undertaking projects with other states to prevent imports of diamonds produced in Côte d'Ivoire, including:

- Working with Côte d'Ivoire neighbouring country Guinea to strengthen Guinean land tenure and property rights systems;
- Launching, in cooperation with the U.S. Geological Survey and the French Bureau de Rechereches Geologique et Minieres, a programme to assist Guinea and Kimberley Process applicant Mali to assess their geological production capacity — an important factor in Kimberley Process statistical reporting; and
- Offering, in response to concerns about trans-shipments of Côte d'Ivoire diamonds through Ghana, to assist Ghana in conducting geologic production assessments of diamond production capacity.

The United States remains very concerned about conflict diamonds from Côte d'Ivoire making their way into international markets, and we will continue to take all necessary measures to control conflict diamond trade whenever possible.